IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

RP.No. 1132 of 2006(A)

AGAINST THE JUDGEMENT/ORDER IN OP.36550/2002 Dated 18/10/2006
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: PETITIONER/IST RESPONDENT

THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WELFARE FUND BOARD,
THRISSUR.

BY ADV. SMT.I.SHEELADEVI, SC,KMTWF BOARD

RESPONDENTS: PETITIONER
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1. STATE OF KERALA,
REP. BY SECRETARY TO GOVERNMENT,
LABOUR AND REHABILITATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. SHRI.P.V.DAVIS,
THRISSUR AUTO CENTRE,
MOROTHAKORE, THRISSUR.

3. M.S.MATHEW,
THRISSUR AUTO CENTRE,
MPC DEALER, MARATHAKARA,
THRISSUR, RESIDING AT MANNUMMEL HOUSE,
KANDASSANKADEVU, THRISSUR.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
GOVT.PLEADER SRI.K.V.MANOJKUMAR.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 16/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH, J.

R.P.NO.1132 of 2006 in
O.P.No.36550 of 2002

Dated this the 16th day of November, 2007

O R D E R

This is a petition to review the judgment dated 18-10-2006 in O.P.No.36550/2002. The issue pertains to the assessment for the purpose of contribution to the Kerala Motor Transport Workers Welfare Fund. On the basis of Ext.P3 affidavit, this court disposed of the writ petition to exclude the 3rd respondent from the assessment as he is an employee in a petrol pump. It is stated in the review petition filed by the District Executive Officer that he is a driver in tanker lorry KL-8 B 8100 and KL-8 B 145. In view of the factual dispute as above, it is only appropriate that the writ petition is disposed of adverting to the contentions of the review petitioner also. Therefore, the review petition is allowed and the judgment dated 18-10-2006 in O.P.No.36550/2002 is recalled. Post the original petition for disposal on 23-11-2007.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

R.P.No.1132 of 2006
in O.P.No.36550 of 2002

O R D E R

16th November, 2007